

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40747 of 2019

Arising Out of PS. Case No.-787 Year-2018 Thana- TURKAULIYA District- East
Champaran

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MD. ANSAR ANSARI Son of Kurban Ansari @ Mohammad Kurban
Resident of Village - Surya Pur, P.S.- Pipra Kothi, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-09-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 406/420 of the Indian Penal Code
registered in connection with Turkauliya P.S. Case No. 787 of
2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation that he had taken Rs. 50,000/- from
the informant for providing service visa for Malaysia company
and instead the petitioner provided tourist visa and demanded
further Rs. 50,000/- to provide service visa. The informant
demanded refund of the amount of Rs. 50,000/- which was
already paid to the petitioner, but the same was refused. Learned
counsel for the petitioner expresses readiness to make payment
of Rs. 50,000/- to the informant within a period of four weeks.

4. Be that it may, in the event of petitioner's arrest or
surrender within four weeks hereof let the above named
petitioner be released on provisional bail on furnishing bail bond



of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned CJM, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 787 of 2018. subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

5. The provisional bail granted to the petitioner shall be confirmed subject to the condition that the petitioner shall refund the amount of Rs. 50,000/- to the informant within further period of two weeks after furnishing bail bond. In case the petitioner fails to refund the amount as aforesaid to the informant within the stipulated period his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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